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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re:)	Case No. 17-29034(JNP)
GERARD E. MCFADDEN, JR.)	Chapter 13
JOANNE S. MCFADDEN)	Hearing date: 11-15-17
)	
)	
)	
)	<u>OBJECTION TO CONFIRMATION</u>

Daimler Trust ("Daimler"), the lessor of a vehicle to the Debtor, objects to the Debtor's plan for the following reasons:

a. **The vehicle:** The debtor leases the following vehicle from Daimler Trust:

i. 2016 Mercedes-Benz G63W4 with a net lease payoff of \$83,990.91 plus any amount that may be due at lease termination.

b. The plan calls for the surrender of this vehicle but it is believed that the debtor has turned possession of this vehicles over to a third party or parties. If this is the case, you cannot surrender what you do not have in your possession and the plan is filed in bad faith.

c. **Proof of insurance:** The vehicle must be insured with comprehensive and collision insurance coverage and liability coverage in accordance with the requirements contained in the lease. Daimler Trust must be listed as loss payee or additional insured. **The Debtors must provide Daimler with proof that the vehicle is insured in accordance with §1326(a)(4) and this portion of the objection to confirmation should be considered a demand that the Debtors provide proof of insurance.**

/s/ John R. Morton, Jr.

John R. Morton, Jr., attorney for
Daimler Trust

Date: 9-29-17